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The situation in the Middle East

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Report of the Secretary-General

Summary

The present report contains replies received from Member States in response to the Secretary-General's note verbale of 28 April 2008 concerning the implementation of the relevant provisions of General Assembly resolutions 62/84, entitled "Jerusalem", and 62/85, entitled "The Syrian Golan".

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Contents

		Page
I.	Introduction	3
II.	Replies received from Member States	3
	Colombia	3
	Ecuador	4
	Mexico	4
	Syrian Arab Republic	5

I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 62/84 and 62/85. In its resolution 62/84, the Assembly welcomed the decision of those States that had established diplomatic missions in Jerusalem to withdraw their missions from the city, in compliance with Security Council resolution 478 (1980). In its resolution 62/85, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. In order to fulfil my reporting responsibility under resolutions 62/84 and 62/85, on 28 April 2008 I addressed notes verbales to the Permanent Representative of Israel to the United Nations and to the Permanent Representatives of other Member States requesting them to inform me of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 31 August 2008, replies had been received from Colombia, Ecuador, Mexico and the Syrian Arab Republic. Those replies are reproduced in section II of the present report.

II. Replies received from Member States

Colombia

[Original: Spanish]

1. The Permanent Mission of Colombia presents its compliments to the Secretary-General of the United Nations and has the honour to refer to the request contained in notes DPA/APD/GA/RES.62/102-105 and DPA/APD/GA/RES.62/84-85 of 28 April 2008.

2. In that connection, Colombia wishes to reaffirm its position of recognizing the right of Israel to secure and internationally recognized boundaries free from threats or acts of force, as well as its support for the Palestinian aspiration to establish in the region an independent State whose citizens are able to enjoy full human, social, economic and cultural rights and exercise the right to self-determination of peoples.

3. Colombia thus shares the view that the two States should live side by side in harmony and peaceful coexistence, as proposed under the Quartet's road map, the international policy instrument most conducive to the achievement of peace in the region, which has Colombia's full endorsement and support.

4. Colombia voted in favour of General Assembly resolutions 62/102, "Assistance to Palestine Refugees", 62/103, "Persons displaced as a result of the June 1967 and subsequent hostilities", 62/104, "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East", and 62/105, "Palestine refugees' properties and their revenues".

5. In accordance with the relevant paragraphs, Colombia has made timely contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, whose purpose is to mitigate the continued deterioration of the socio-economic and humanitarian situation in the region.

6. Furthermore, Colombia voted in favour of resolution 62/84, "Jerusalem". Colombia reaffirms its special interest in places of religious significance in view of its Christian tradition and recognizes the special status of Jerusalem. In that regard, Colombia has maintained its diplomatic representation with Israel in Tel Aviv since 1958, in accordance with the relevant provision of that resolution.

7. Colombia also voted in favour of resolution 62/85, "The Syrian Golan", thereby demonstrating its unchanging position of urging Israel to resume talks with both Lebanon and the Syrian Arab Republic with a view to fulfilling the commitments made in accordance with the relevant Security Council resolutions.

Ecuador

[Original: Spanish]

1. The Permanent Mission of Ecuador to the United Nations presents its compliments to the Secretariat of the United Nations and, with regard to note No. DPA/APD/GA/RES.62/84-85, has the honour to state the following.

2. Ecuador proclaims its commitment to peace and reaffirms its respect for international law as constituting the standard of conduct for States in their relations with one another and in resolving disputes. It reaffirms that the resolution of conflicts must take into account all the legitimate interests of the parties, in particular the protection of the human rights of any civilians involved.

3. Ecuador recognizes the right of both Palestine and Israel to a free and sovereign State, existing side by side with safe and internationally recognized borders, and calls on the parties to fulfil the commitments that they have freely undertaken, which are indispensable to the achievement of lasting peace and stability in the Middle East.

4. Ecuador condemns the use of violence and the perpetration of terrorist acts, in violation of international law and international humanitarian law.

5. Ecuador considers that only an environment conducive to negotiation and the peaceful resolution of the impasse will be able to contribute to the protection of the civilians in the occupied territories, whose fundamental rights must be preserved.

Mexico

[Original: Spanish]

1. The Permanent Mission of Mexico to the United Nations presents its compliments to the Department of Political Affairs of the Secretariat and has the honour to refer to its communications DPA/APD/GA/RES.62/84-85 and DPA/APD/GA/RES.62/102-105 of 28 April 2008, relating to the implementation of the resolutions on the situation in the Middle East and on the United Nations Relief and Works Agency for Palestine Refugees in the Near East, adopted during the sixty-second session of the General Assembly. In that connection, the Permanent Mission of Mexico has also submitted an annex providing information relating to our country's compliance with resolutions 62/84, 62/85, 62/102, 62/103, 62/104 and 62/105.

Resolution 62/84, on Jerusalem

2. It is up to the countries involved in the conflict to comply with the provisions of resolution 62/84. Nevertheless, pursuant to paragraph 2, it should be stated that Mexico does not have and never had a diplomatic representation in the city of Jerusalem. However, in connection with paragraph 3 of the resolution, Mexico reiterates its support for a solution which recognizes that the State of Israel and a politically and economically viable Palestinian State have the right to exist, living in harmony within secure and internationally recognized borders.

Resolution 62/85, on the Syrian Golan

3. In accordance with paragraph 7, Mexico supports a comprehensive multilateral review of the conflict that encompasses all the conflicts in the Middle East. It also supports the presence of the United Nations Disengagement Observer Force, which it considers fundamental for maintaining stability in the region.

4. Mexico believes that the only viable solution to the conflicts lies in dialogue and negotiation between the parties involved, in conformity with the relevant resolutions of the Security Council and the General Assembly.

Syrian Arab Republic

[Original: Arabic]

1. Over the years since 1967, when Israel occupied the Syrian Golan, the international community has consistently maintained its forceful rejection of that occupation, and has once again reiterated its demand for occupying Israeli forces to be withdrawn from all the Syrian Golan. General Assembly resolution 62/85 affirms the concern felt by the international community at the failure of Israel to comply with the relevant resolutions and its continued occupation of the Syrian Golan, contrary to Security Council and General Assembly resolutions. The same resolution declares that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it.

2. After 41 years of that despotic occupation, and notwithstanding the resolutions of international legitimacy and the proclamations made by the majority of world leaders at international gatherings rejecting the Israeli occupation of occupied Arab territories and condemning the daily tyrannical practices and blatant violations of all international conventions and customs, Israel remains indifferent to all those declarations and international resolutions, with no obstacles to its expansionist ambitions.

3. The Syrian Arab Republic has affirmed its intense desire to continue to work and cooperate with the United Nations. It now underlines the importance of preserving the status of the Organization. On the basis of that understanding, the Syrian Arab Republic states in no uncertain terms that the forum of international legitimacy and United Nations resolutions continue to be the essential authority that is most accepted and respected by the countries of the world. Given that fixed principle of Syrian policy, President Bashar Al-Assad has declared on more than one occasion that the Syrian Arab Republic is willing to resume peace negotiations on

the same basis on which the Madrid peace process was started in 1991. The Syrian Arab Republic has also declared in all international forums its full commitment to the relevant international resolutions and has called for their implementation, in particular Security Council resolutions 242 (1967), 338 (1973) and 497 (1981), and for implementation of the principle of land for peace, in order to ensure full withdrawal by Israel from all the occupied Syrian Golan to the line of 4 June 1967. Furthermore, by endorsing the Arab peace initiative adopted at the 2002 Beirut Summit and reaffirmed by all subsequent Arab summits, the most recent of which was the 2008 Damascus Summit, the Syrian Arab Republic established its strategic choice on the achievement of a just and comprehensive peace in accordance with the relevant resolutions of international legitimacy. That peace cannot be achieved unless those resolutions, which have received the support of the international community, are implemented.

4. The Government of the Syrian Arab Republic denounces the decisions made by the Israeli Government to intensify settlement in the occupied Syrian Golan and, in particular, the decision of the Golan Regional Council, endorsed by the Government of the occupation, to build a new tourist settlement village on 40 dunums of land near the Israeli settlement of Ani'am. It also condemns the cooperation between the Regional Council and the management of the extremist religious settlement of Yonatan aimed at attracting thousands of settlers and increasing their numbers in the near future to more than 50,000. It further condemns the statement of Israeli Prime Minister Ehud Olmert to the effect that he will not give up the Syrian Golan while he is alive, thereby revealing his Government's determination to continue to occupy the Golan while he remains Prime Minister. It is similarly critical of Olmert's statement during the celebrations held by the occupying Israeli authorities in order to mark the thirtieth anniversary of the founding of the Qatzrin settlement, to the effect that Qatzrin would remain in position forever, being an integral part of Israel and representing a turning point in the history of that country and a place that could never be forgotten. Such Israeli actions make it clear that Israel's true intention is to reject peace, paying no heed to Security Council or General Assembly resolutions, the most recent of which was General Assembly resolution 62/108 of 17 December 2007, in which the Assembly once again called for the complete cessation of all Israeli settlement activities.

5. The Government of the Syrian Arab Republic reaffirms the request it has made to the Secretary-General of the United Nations, the President of the General Assembly, the High Commissioner for Human Rights, the President of the Human Rights Council and the President of the International Committee of the Red Cross to bring pressure on Israel to ensure that the Syrian prisoners detained in its jails are kept in more humane health conditions and, in particular, the Syrian prisoner Bishr Al-Maqat, who faces certain death at any moment because of deliberate Israeli disregard for his deteriorating health situation. The Government also underlines its request to the above-mentioned international figures to bring urgent pressure to bear on Israel to permit the immediate resumption without delay of visits by citizens from the occupied Syrian Golan to their homeland, the Syrian Arab Republic, through the Qunaitra crossing, taking into consideration the material, mental and physical suffering that is caused to Syrian citizens by those tyrannical Israeli practices, which contravene the Geneva Conventions and all international humanitarian instruments and norms.

6. The Government of the Syrian Arab Republic emphasizes the need to genuinely seek means of ensuring the implementation of the relevant international resolutions without bias or selectivity, and to invoke the Geneva Conventions in order to bring pressure to bear on Israel, the occupying Power, to comply with the wishes of the international community and seize the opportunities for peace that have been presented by the Syrian Arab Republic, as part of a just and comprehensive peace in the Middle East.

7. Similarly, the Syrian Arab Republic emphasizes its support for General Assembly resolution 62/84, entitled "Jerusalem", and calls upon the international community to bring pressure to bear on Israel to end its occupation of the Arab territories that it has occupied since 1967, including Jerusalem, and comply with Security Council resolution 478 (1980), in which the Council decided not to recognize the "basic law" on Jerusalem that was enacted by Israel and affirmed that the Israeli decision to impose its laws, jurisdiction and administration on the city of Jerusalem was illegitimate and therefore null and void and without any validity whatsoever. The Syrian Arab Republic also calls for full compliance with the provisions of General Assembly resolution 62/84, in particular the second paragraph, which welcomes the decision of those States that had established diplomatic missions in Jerusalem to withdraw their missions from the city, in compliance with Security Council resolution 478 (1980).